

Developments of Interest: January 2010–April 2010

THIS ARTICLE HIGHLIGHTS significant environmental regulatory changes and indicators suggesting future changes to the regulatory landscape.

The Council on Environmental Quality (CEQ) has released draft guidance for comment that suggests how federal agencies should consider the effects of greenhouse gas (GHG) emissions and climate change in their National Environmental Policy Act (NEPA) evaluations of proposed federal actions.

The guidance recommends that quantitative and qualitative assessments of GHG emissions of projects be included in the NEPA analysis whenever a proposed action would reasonably be anticipated to cause direct emissions of 25,000 metric tons carbon dioxide-equivalent or more. CEQ does not propose to make this guidance applicable to federal land and resource management decisions. The guidance also addresses the issue of considering impacts of climate change on long term infrastructure projects in areas subject to climate change impact.

The guidance states that when a federal agency proposes mitigation of GHG emissions, the mitigation must exceed what would otherwise be required and must be permanent, verifiable, and enforceable.

Separately CEQ issued draft guidance for mitigation and monitoring. GHG reduction goals for the federal sector and for the Department of Defense (DoD) have also been announced. This represents the first guidance specifically considering GHG emissions and climate change in the context of NEPA analyses.

Additional regulatory and environmental news items of interest (January 2010 to 8 April 2010) include:

NEPA

CEQ Guidance on NEPA—Mitigation and Monitoring (23-February-10)

<http://edocket.access.gpo.gov/2010/2010-3535.htm>

CEQ Guidance on NEPA—Consideration of the Effects of Climate Change and Greenhouse Gas Emissions (23-February-10)

<http://edocket.access.gpo.gov/2010/2010-3532.htm>

CEQ Guidance—Establishing, Applying, and Revising NEPA Categorical Exclusions (23-February-10)

<http://edocket.access.gpo.gov/2010/2010-3531.htm>

Greenhouse Gases

U.S. Environmental Protection Agency's Timeline for Greenhouse Gas Regulation (23-February-10)

<http://edocket.access.gpo.gov/2010/2010-7536.htm>

<http://industry.bnet.com/energy/10003147/a-well-regulated-future-epa-publishes-its-greenhouse-gas-timeline/>

Greenhouse Gas Emissions Reduction Target for Federal Operations Announced (29-January-10)

<http://www.whitehouse.gov/the-press-office/president-obama-sets-greenhouse-gas-emissions-reduction-target-federal-operations>

DoD Greenhouse Gas Reduction Targets for the Year 2020 (29-January-10)

<http://www.defense.gov/releases/release.aspx?releaseid=13276>

Easy Access

FOR EASY AND direct access to many of the web addresses included in this regulatory summary, select the "Digital Currents" button from the *Currents* page on the Naval Air Systems Command's environmental web site at www.enviro-navair.navy.mil/currents.



Tire Fuel Efficiency Consumer Information Program; Final Rule (30-March-10)

<http://edocket.access.gpo.gov/2010/2010-6907.htm>

U.S. Department of Agriculture/Navy Memorandum of Understanding on BioFuel Development Signed (21-January-10)

http://www.news.navy.mil/search/display.asp?story_id=50710

Air

Revisions to the Clean Air Act General Conformity Regulations (05-April-10)

<http://edocket.access.gpo.gov/2010/2010-7047.htm>

Review of the Secondary National Ambient Air Quality Standards (NAAQS) for Oxides of Nitrogen and Oxides of Sulfur (12-March-10)

<http://edocket.access.gpo.gov/2010/2010-5576.htm>

Primary NAAQS for Nitrogen Dioxide; Final Rule (09-February-10)

<http://edocket.access.gpo.gov/2010/2010-1990.htm>

NAAQS for Ozone—Revision (06-January-10)

<http://www.epa.gov/groundlevelozone/actions.html>

Reciprocating Internal Combustion Engines (Stationary Diesel Engines) National Emissions Standard for Hazardous Air Pollutants (03-March-10)

<http://edocket.access.gpo.gov/2010/2010-3508.htm>

Supreme Court Lets Stand a Ruling Vacating the Startup/Shutdown/Malfunction Exemption (08-March-10)

<http://www.commondreams.org/newswire/2010/03/08-3>

Water

DoD Implementation of Storm Water Requirements under the Energy Independence and Security Act of 2007 Section (19-January-10)

http://www.p2sustainabilitylibrary.mil/p2_documents/dusd_ie.pdf

Ocean Acidification and Listing of Impaired Waters (22-March-10)

<http://edocket.access.gpo.gov/2010/2010-6239.htm>

Materials

Designation of Biobased Items for Federal Procurement—Round 6 (10-February-10)

<http://edocket.access.gpo.gov/2010/2010-2651.htm>

BioPreferred Complex Products and Assemblies (01-February-10)

<http://edocket.access.gpo.gov/2010/2010-2039.htm>

Health & Safety

Transportation of Lithium Batteries (11-January-10)

<http://edocket.access.gpo.gov/2010/2010-281.htm>

Occupational Injury and Illness Recording and Reporting Requirements—Addition of Musculoskeletal Disorders (29-January-10)

<http://edocket.access.gpo.gov/2010/2010-2010.htm>

Revising the Notification Requirements in the Exposure Determination; Provisions of the Hexavalent Chromium Standards (16-March-10)

<http://edocket.access.gpo.gov/2010/2010-5731.htm>

Interim Preliminary Remediation Goals for Dioxin in Soil at Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA) Sites (07-January-10)

<http://edocket.access.gpo.gov/2010/2010-16.htm>

Other

Finding on a Petition to List 83 Species of Corals as Threatened or Endangered (10-February-10)

<http://edocket.access.gpo.gov/2010/2010-2939.htm>


Department of Navy Disposition of Historic Vessels; Program Comment (15-March-10)

<http://edocket.access.gpo.gov/2010/2010-5373.htm>

<http://edocket.access.gpo.gov/2010/2010-1023.htm>

Polychlorinated Biphenyls; Reassessment of Use Authorizations (Advance Notice of Proposed Rulemaking) (07-April-10)

<http://edocket.access.gpo.gov/2010/2010-7751.htm>

The Naval Facilities Engineering Service Center provides a free Weekly Federal Regulatory Summary that DoD personnel or contractors supporting DoD may receive by e-mail. To subscribe or unsubscribe, contact NFESRegulatorySupportDesk@navy.mil or 805-982-2640. 

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